

Opinions Per Curiam, etc.

OPINIONS PER CURIAM, ETC., FROM OCTOBER 13,
1902, TO JANUARY 18, 1903.

No. 55. GEORGE TSUKAMOTO, APPELLANT, *v.* JOHN LACKMANN ET AL. Appeal from the Circuit Court of the United States for the Northern District of California. Submitted October 16, 1902. Decided October 20, 1902. *Per Curiam*. Final order affirmed with costs, on the authority of *Minnesota v. Brundage*, 180 U. S. 499, *Markuson v. Boucher*, 175 U. S. 184, and cases cited. *Mr. James G. Maguire* for the appellant. *Mr. Thomas D. Riordan* for the appellees.

No. 255. WILLIAM B. BROWN, APPELLANT, *v.* JOHN H. DRAIN, STREET SUPERINTENDENT, ETC., ET AL. Appeal from the Circuit Court of the United States for the Southern District of California. Motions to dismiss or affirm submitted October 14, 1902. Decided October 20, 1902. *Per Curiam*. Decree affirmed with costs, on the authority of *Spies v. Illinois*, 123 U. S. 131, *Richardson v. Railroad Company*, 169 U. S. 128, *Walston v. Nevin*, 128 U. S. 578; *Fallbrook Irrigation District v. Bradley*, 164 U. S. 112, *French v. Asphalt Company*, 181 U. S. 324, *King v. Portland*, 184 U. S. 61. (Mr. Justice Harlan took no part in the disposition of this case.) *Mr. Joseph H. Call* for the appellant. *Mr. Albert H. Crutcher* for the appellees.

No. 349. BANK OF IRON GATE, PLAINTIFF IN ERROR, *v.* MAGGIE A. BRADY, EXECUTRIX, ETC. In error to the Circuit Court of the United States for the Eastern District of Virginia. Submitted October 14, 1902. Decided October 20, 1902. *Per Curiam*. Judgment affirmed with costs, on the authority of *Veazie Bank v. Fenno*, 8 Wall. 533. *Mr. William L. Royall* for the plaintiff in error. *Mr. Solicitor General Richards* for the defendant in error.

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No. 394. INDIANA POWER COMPANY, PLAINTIFF IN ERROR, v. ST. JOSEPH AND ELKHART POWER COMPANY. In error to the Supreme Court of the State of Indiana. Motions to dismiss or affirm submitted October 14, 1902. Decided October 20, 1902. *Per Curiam*. Dismissed for the want of jurisdiction, on the authority of *Pim v St. Louis*, 165 U. S. 273, *Cook County v. Dock Company*, 138 U. S. 635, *Dewey v Des Moines*, 173 U. S. 193, 200, *Minang Company v McFadden*, 180 U. S. 535. *Mr Frank F Reed* and *Mr Ferdinand Winter* for the plaintiff in error. *Mr Charles Francis Carusi* for the defendant in error.

Nos. 328, 329 and 330. CHARLES T. CARNAHAN, PLAINTIFF IN ERROR, v. P. K. CONNOLLY. In error to the Court of Appeals of the State of Colorado. Motion to dismiss submitted October 20, 1902. Decided October 27, 1902. *Per Curiam*. Writs of error dismissed for want of jurisdiction on the authority of *Eustis v Bolles*, 150 U. S. 361, *Harrison v Morton*, 171 U. S. 38, *Erie Railroad Company v Purdy*, 185 U. S. 148, and other cases; and see *Carnahan v Connolly*, 68 Pac. Rep. 836. *Mr. Charles J. Hughes, Jr.*, for the plaintiff in error. *Mr C. S. Thomas*, *Mr W. H. Bryant* and *Mr H. H. Lee* for the defendant in error.

No. 60. WILLIAM A. CALVERT, ADMINISTRATOR, ETC., PLAINTIFF IN ERROR, v. SOUTHERN RAILWAY COMPANY. In error to the Circuit Court of the United States for the District of South Carolina. Argued October 31, 1902. Decided November 3, 1902. *Per Curiam*. Judgment affirmed, with costs, on the authority of *St. Louis and San Francisco Railway Company v. James*, 161 U. S. 545, and see *Calvert v Southern Railway Company*, 64 S. C. 143, 41 S. E. Rep. 963. *Mr William N Graydon* for the plaintiff in error. *Mr George E. Hamilton* and *Mr Fairfax Harrison* for the defendant in error.

No. 15. CLARENCE E. COLLINS, PLAINTIFF IN ERROR, v. STATE

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OF NEW HAMPSHIRE. In error to the Supreme Court of the State of New Hampshire. Argued and submitted January 7 and 8, 1902. Restored to docket for reargument January 20, 1902. Reargued April 17, 1902, November 10, 1902. Judgment affirmed, with costs, by an equally divided court. *Mr. Wm. D. Guthrie* and *Mr. A. H. Veeder* for the plaintiff in error. *Mr. Edwin G. Eastman* for the defendant in error.

NO. 361. ELIZA A. WALL, PLAINTIFF IN ERROR, v. OLD COLONY TRUST COMPANY ET AL. In error to the Supreme Judicial Court of the State of Massachusetts. Motions to dismiss or affirm submitted November 3, 1902. Decided November 10, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Eustis v. Bolles*, 150 U. S. 361, and see *Wall v. Old Colony Trust Company*, 174 Massachusetts, 340, 177 Massachusetts, 275. *Mr. L. L. Scarfe* for the plaintiff in error. *Mr. Felix Rackemann*, *Mr. Moorfield Story*, *Mr. Ezra R. Thayer*, *Mr. J. L. Thorndike* and *Mr. L. S. Dabney* for the defendants in error.

NO. 91. MARTHA E. SMITH ET AL., PLAINTIFFS IN ERROR, v. EDWARD F. BROWN, RECEIVER, ETC. In error to the United States Circuit Court of Appeals for the Eighth Circuit. Argued and submitted November 13, 1902. Decided November 17, 1902. *Per Curiam*. Judgment affirmed, with costs, on the authority of *Studebaker v. Perry*, 184 U. S. 258, *McDonald v. Thompson*, 184 U. S. 71, *United States v. Knox*, 102 U. S. 422, (see case below, *Deweese v. Smith*, 106 Fed. Rep. 438,) and case remanded to the Circuit Court of the United States for the Western District of Missouri. *Mr. Wm. M. Williams* for the plaintiffs in error. *Mr. William S. Shark* for the defendant in error.

NO. 400. DISTRICT OF COLUMBIA, APPELLANT, v. ELIAS E. BARNES. Appeal from the Court of Claims. Motion to dis-

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miss. Submitted November 17, 1902. Decided December 8, 1902. *Per Curiam*. Appeal dismissed. Act of June 6, 1900, 31 Stat. c. 789, p. 572, *Gordon v United States*, 117 U. S. 697, 2 Wall. 561, *District of Columbia v Eslin*, 183 U. S. 62, 65. *Mr Solicitor General Richards* and *Mr Robert A. Howard* for the appellant. *Mr John C. Fay* for the appellee

No. 438. FERDINAND SIEGEL ET AL., APPELLANTS, v. S. L. SWARTS, TRUSTEE. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Motion to dismiss. Submitted December 1, 1902. Decided December 8, 1902. *Per Curiam*. Appeal dismissed for the want of jurisdiction, on the authority of *Bogy v Daugherty*, 184 U. S. 696, *Haseltine v Central Bank*, 183 U. S. 130, *Keystone Manganese and Iron Company v Martin*, 132 U. S. 91. *Mr Edward C. Eliot* for the appellants. *Mr David Goldsmith* for the appellee.

No. 374. GEORGE F HARDING, APPELLANT, v. JOHN S. HART ET AL. Appeal from the United States Circuit Court of Appeals for the Seventh Circuit. Motion to dismiss. Submitted December 1, 1902. Decided December 15, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Huguley Manufacturing Company v. Galeton Cotton Mills*, 184 U. S. 290, 294, and cases cited, *Rouse v Letcher*, 156 U. S. 47, and see *Harding v Hart*, 186 U. S. 483. *Mr A. A. Hoehling, Jr.*, for the appellant. *Mr Frederic Ullman* and *Mr. D J Schuyler* for the appellees.

No. 128. CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY, PLAINTIFF IN ERROR; v. KATE G. WOLFE, ADMINISTRATRIX, ETC. In error to the Supreme Court of the State of Nebraska. Argued December 17, 1902. Decided December 22, 1902. *Per Curiam*. Judgment affirmed with costs, on the authority of *Chicago, Rock Island &c. Railroad Company v Zerneck*, 183 U. S. 582. *Mr J W Deweese* and *Mr Charles F. Manderson*

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for the plaintiff in error. *Mr T J Mahoney* for the defendant in error.

No. 156. N. T. COOK, PLAINTIFF IN ERROR, *v.* STATE OF TENNESSEE. In error to the Supreme Court of the State of Tennessee. Motion to dismiss. Submitted January 5, 1903. Decided January 12, 1903. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Haseltine v Savings Bank of Springfield, Mo.*, 183 U. S. 130, *Bogy v Daugherty*, 184 U. S. 696. *Mr E. W. Ross* for the plaintiff in error. *Mr Charles T. Cates, Jr.*, for the defendant in error.

No. 162. ANNIE WRIGHT SEMINARY, PLAINTIFF IN ERROR, *v.* CITY OF TACOMA. In error to the Supreme Court of the State of Washington. Submitted December 22, 1902. Decided January 12, 1903. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Gillis v Stinchfield*, 159 U. S. 658; *Pittsburgh Company v. Cleveland Company*, 178 U. S. 279, *Speed v McCarthy*, 181 U. S. 269, 275. See case below, 23 Washington, 109. *Mr John F. Shafroth* for the plaintiff in error. *Mr David A. Gourrick* for the defendant in error.

Decisions on Petitions for Writs of Certiorari.

From October 13, 1902, to January 18, 1903.

No. 342. ALLEGHENY OIL COMPANY ET AL., PETITIONERS, *v.* HIRAM A. SNYDER ET AL. October 20, 1902. Petition for a writ of certiorari to United States Circuit Court of Appeals for the Sixth Circuit denied. *Mr S. Schoyer, Jr.*, for the petitioners. *Mr Edward McSweeney* and *Mr D. A. Hollingsworth* for the respondents.